

REMARKS

This is a supplemental response to the Office Action/Restriction Requirement of March 30, 2006, due April 30, 2006, for which a timely response was received by the US PTO on May 2, 2006. The Examiner issued a notice of non-compliant response, mailed May 11, 2006, pointing out that original claims 39 and 40 were not included in the claim listing. Applicants resubmit the previous response to the restriction requirement and have now included claims 39-40 as canceled on page 2 of this paper.

The Examiner, in the above-identified Office Action/Restriction Requirement, mailed March 30, 2006, has issued a Restriction Requirement and Species Election, presented on pages 2-11 of the Action, asserting under 35 USC 121 that the pending claims constitute 9 distinct Groups of inventions and also require a further species election. The Examiner asserts that the Groups constitute different inventions having:

- (i) different functions (Groups I, II, III), product and process of use that could be used in different ways (I and IV and I and V),
- (ii) unrelated product and process ((a) I and, alternatively, IV, VII, VIII and IX; (b) II and, alternatively, III, V and IX); and (c) III and alternatively, IV, V and VII), and
- (iii) distinct methods using different reagents or method steps (IV-IX).

Applicants elect with traverse Group II, claims 13-20, 21 in part, as currently amended claim 13, with claims 14-21 canceled from Group II, and all of the remaining claims canceled, as fully supported by the specification as filed, drawn to a polypeptide comprising SEQ ID NO:14. The elected molecule as requested on pages 7-8 of the office action is SEQ ID NO:14. The elected species as presented on pages 8-11 of the office action is SEQ ID NO:14.

Remaining claims 1-12 and 14-38 have now been canceled, without prejudice to filing divisional or continuation applications thereon.

Applicants traverse the restriction requirement on the basis that the sequence and reference searches required for the examination of all of the claims as filed would be the same based on the amino acid sequences of the disclosed DNA sequence ID NO:1 and corresponding encoded proteins.

Applicants reserve their rights to file or add additional claims and species according to the results of the search and examination by the Examiner, as well as filing divisional or continuation applications directed the subject matter of the cancelled claims. If there are any current or additional fees due in connection with the filing of this Response, authorization is hereby given to charge the amount of such fee to Deposit Account No. 10-0750/CEN0301NP/GKT in the name of Johnson & Johnson.

Respectfully submitted,

/Guy Kevin Townsend/

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